

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1814

By: Representative Rushing

For An Act To Be Entitled

AN ACT CONCERNING THE OFFENSE OF HARASSING
COMMUNICATIONS; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE OFFENSE OF HARASSING
COMMUNICATIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-71-209(b), concerning the elements of the offense of harassing communications, is amended to read as follows:

(b) A person commits the offense of harassing communications if, ~~with:~~

(1) With the purpose to harass, annoy, or alarm another person, the person:

~~(1)(A)~~ (A) Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, email, message delivered to an electronic device, or any other form of written or electronic communication, in a manner likely to harass, annoy, or cause alarm;

~~(2)(B)~~ (B) Makes a telephone call or causes a telephone to ring repeatedly, with no purpose of legitimate communication, regardless of whether a conversation ensues; ~~or~~

~~(3)(C)~~ (C) Knowingly permits any telephone or electronic device under his or her control to be used for any purpose prohibited by this section;

(D) Threatens by telephone, in writing, or by electronic communication, including without limitation by text message, social media post, facsimile transmission, email, and internet service to take an action



against another person that is known by the person to be unlawful; or

(E) Places two (2) or more telephone calls anonymously, at an hour or hours known by the person to be inconvenient to another person, in an offensively repetitious manner or without a legitimate purpose of communication, and by this action knowingly annoys or alarms the other person; or

(2) With the purpose to frighten, intimidate, or distress emotionally another person, the person:

(A) Communicates by telephone to another person that a person has been injured, killed, or is ill when the communication is known by the person to be false; or

(B) Communicates with another person by any method described in subdivision (b)(1) of this section, without legitimate purpose in a manner the person knows, or reasonably should know, would frighten, intimidate, or cause emotional distress to a similarly situated person of reasonable sensibilities.